

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

BRANDON HEITMANN,

Debtor.

MOHAMED SAAD,

Plaintiff,

v.

BRANDON HEITMANN,

Defendant.

Chapter 13

Case No. 24-41956-MAR

Hon. Mark A. Randon

Adv. Pro. No. 24-04375-mar

Hon. Mark A. Randon

PLAINTIFF'S INITIAL DISCLOSURES

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, made applicable to this proceeding by Fed. R. Bankr. P. 7026, Plaintiff, by and through his attorneys, OSIPOV BIGELMAN, P.C., provides the initial disclosures set forth below.

These disclosures are based on the information reasonably available to Plaintiff as revealed by the investigation conducted thus far. That investigation is continuing. Plaintiff expressly reserves all of his rights to object to the production of documents or information in any form on the grounds that the information is protected by the attorney-client privilege, work product doctrine, or any other privilege or protection, on the grounds that the documents sought are not sufficiently relevant to justify the burden or expense of production, on any other valid legal grounds.

The initial disclosure requirements of subparagraphs (i), (ii), (iii), and (iv) of Rule 26(a)(1)(A) are limited to identification of potential evidence relevant to disputed facts alleged with particularity in the pleadings.

Fed. R. Civ. P. 26(a)(1)(A)(i)

The individuals listed below are likely to have discoverable information:

1. Mohamed Saad, Plaintiff, c/o Plaintiff's counsel
2. Rana Fawaz, c/o Plaintiff's counsel
3. Brandon Heitmann, Defendant, c/o the Defendant's counsel of record
4. Amanda Pisarski, Defendant's spouse – c/o Defendant's counsel of record
5. Avery Petri, salesperson that signed Exigent's contract with Plaintiff – contact information unknown
6. Cory Maxwell – Exigent's project manager for Plaintiff's project - contact information unknown
7. Kody Grandchamp – Exigent employee – contact information unknown
8. Jake Gross – Exigent employee – contact information unknown
9. Dan Olthof – Exigent's bookkeeper - contact information unknown
10. Shara Gunther – Exigent employee - contact information unknown
11. Chelsea Quinn – Exigent employee - contact information unknown
12. Madison Braunz – Exigent employee - contact information unknown
13. Ron Heitmann, Defendant's father – contact information unknown
14. Ann Heitmann, Defendant's mother – allegedly paying for all of Defendant's legal bills – contact information unknown
15. Henry (Hank) Bell – individual whose builder's license Debtor and Exigent fraudulently utilized to pull permits
16. Osama J. Abdullah
17. Representative of Dolphin Water Slides – vendor whom Plaintiff had to pay directly because Debtor and Exigent failed to properly allocate funds - 153 E Main St, Adamsville, TN 38310, 731-632-1407
18. Representative of Messina Concrete – vendor whom Plaintiff had to pay directly because Debtor and Exigent failed to properly allocate funds – 600 Junction Street, Plymouth, MI, 734-241-8380
19. Justin Booth – representative of Coastal Pools (company that evaluated and provided second opinion of Debtor's/Exigent's work) - 25005 Trans X Rd, Novi, MI 48375, 248-470-0439
20. Dan Carter – similarly situated homeowner, defrauded by Debtor/Exigent – c/o counsel John Harrington, 30500 Van Dyke Ave., Ste. 200, Warren, MI

48093, 586-751-3610

21. Alex and Rebecca Boyd – similarly situated homeowners, defrauded by Debtor/Exigent – c/o counsel John Harrington, 30500 Van Dyke Ave., Ste. 200, Warren, MI 48093, 586-751-3610
22. Joe and Angela Hebeka – similarly situated homeowner, defrauded by Debtor/Exigent – allegedly settled prior to Chapter 13 petition – contact information unknown
23. Joe Regalado – similarly situated homeowner, defrauded by Debtor/Exigent – allegedly settled prior to Chapter 13 petition – contact information unknown
24. Ratnesh Mehra and Jillian Bacon – similarly situated homeowners, defrauded by Debtor/Exigent – c/o Plaintiff’s counsel
25. All persons or entities identified in Debtor’s bankruptcy schedules and Statement of Financial Affairs
26. All persons or entities identified or referenced in pleadings and/or documents produced by Defendant and/or Debtor
27. Any necessary experts
28. All individuals disclosed and/or identified by Defendant in his initial disclosures, any bankruptcy pleadings, and/or either party through their adversary pleadings, discovery, or in any state court proceedings
29. All persons that become known prior to trial
30. All persons needed to introduce or rebut evidence or testimony at trial
31. Plaintiff reserves the right to supplement or amend these disclosures

Fed. R. Civ. P. 26(a)(1)(A)(ii)

The items which are in the possession, custody, or control of the Plaintiff:

1. All pleadings filed in this bankruptcy case (and the bankruptcy case of Exigent Landscaping, LLC) and adversary proceeding
2. All Exhibits to the Complaint and any amendments thereto
3. All documents needed to establish the claims set forth in the Complaint
4. All documents necessary for rebuttal or impeachment
5. All documents made available for inspection to Defendant
6. All documents identified in Plaintiff’s discovery responses
7. All documents referenced or identified in any of the parties’ pleadings, discovery requests, or discovery responses in this adversary proceeding
8. Contract between Plaintiff and Exigent Landscaping, LLC
9. Copies of lien waivers
10. Quote from Coastal Pools for remediation of Debtor’s/Exigent’s damage

11. Records relating to Plaintiff's payment of Exigent and its contractors
12. Plaintiff reserves the right to supplement or amend these disclosures.

Fed. R. Civ. P. 26(a)(1)(A)(iii)

The Plaintiff is seeking a non-dischargeable judgment against the Defendant for damages in the amount of \$318,224.29, and treble damages for conversion in the amount of \$954,672.87.

Fed. R. Civ. P. 26(a)(1)(A)(iv)

Not Applicable.

Respectfully submitted,

OSIPOV BIGELMAN, P.C.

Date: December 18, 2024

/s/Anthony J. Miller
ANTHONY J. MILLER (P71505)
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CERTIFICATE OF SERVICE

I certify that on December 18, 2024, I served a copy of the Plaintiff's Initial Disclosures using the Court's CM/ECF electronic filing system, which will provide notice to Defendant's counsel, who is receiving electronic notifications in this case.

Robert N. Bassel on behalf of Defendant Brandon Heitmann bbassel@gmail.com,
robertbassel@hotmail.com; ecfbassel@gmail.com

Respectfully submitted,

OSIPOV BIGELMAN, P.C.

Date: December 18, 2024

/s/Anthony J. Miller
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